

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE
MIDDLE DISTRICT OF ALABAMA, NORTHERN DIVISION

MARCUS MONTEZ SPANGLER,)	
)	
Plaintiff,)	
)	CIVIL ACTION NO.
v.)	2:16cv794-MHT
)	(WO)
NURSE BUTLER, et al.,)	
)	
Defendants.)	

OPINION

Pursuant to 42 U.S.C. § 1983, plaintiff, a state prisoner, filed this lawsuit bringing constitutional claims of excessive force, failure to protect, denial of access to medical care, and improper disciplinary action. This lawsuit is now before the court on the recommendation of the United States Magistrate Judge that plaintiff's case be dismissed without prejudice for failure to respond to the defendants' special report and answer as ordered by the court. Plaintiff filed an objection to the recommendation in which he reported that he had been able to respond because he had been placed in suicide watch. In response, the

magistrate judge gave him an extension of time in which to file an appropriate response to defendants' special report and answer. The extended deadline has now come and gone with no response from plaintiff. Accordingly, after an independent and de novo review of the record, the court concludes that the objection should be overruled and the magistrate judge's recommendation adopted.

An appropriate judgment will be entered.

DONE, this the 19th day of December, 2017.

/s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE